

REC-117

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Before the
Federal Communications Commission
Washington, DC 20554

In the Matter of)	
)	
Amendment of Part 95 of the)	WT Docket 95-102
Commission's Rules to)	
Establish a Very Short Distance)	
Tow-Way Radio Service)	

COMMENTS TO A NOTICE OF PROPOSED RULE MAKING

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I am a licensed amateur radio operator (callsign: KO6UX), a member of Radio Emergency Associated Communications Teams, and current user of the General Mobile Radio Service under my REACT team's existing organizational licenses (KAC1046 and KAD3271). I strongly oppose the proposal to create an unlicensed, "family" radio service using spectrum currently allocated to the General Mobile Radio Service.

The writers of the proposal have failed to show that there is a NEED for such a radio service. They are motivated by their desire to "cash in" on the new band, and they have no real interest in the integrity of the band, its potential users, or the interference it might cause. Existing radio services already fill the role of the FRS. The GMRS, itself already provides these types of communications, with much further range, utilizing repeaters. For those turned off by the cost (or the paperwork) of a GMRS license and repeater subscription, an amateur license might be the ticket. Becoming a ham is easier than ever, and the nature of that service is warm and friendly, making it perfect for "family" users. Further, the 49 and 27 MHz Citizens Bands also allow for low-power, short distance business and personal communications.

Of course, proponents of the FRS would remind the Commission that 27 MHz is anything but a "family" band. They're right. That, in itself, is a good reason to oppose the creation of ANY unlicensed radio service. The abuses of the 27 MHz allocation are notorious: high power, out-of-band operation, lack of courtesy, inappropriate language and behavior, etc. The 27 MHz band has them all, and I see no reason why the FRS would be any different. Without a license requirement, there is no accountability, and no real deterrent to inappropriate behavior.

Licensing also assures that businesses would not use the new band as an alternative to the more expensive commercial band. All of the manufacturers involved with the proposal market the UHF spectrum to businesses, no doubt they see a potential market here. If the band truly is to be a "family" radio service, steps must be taken to assure its freedom those types of users. The GMRS went through a similar restructuring, which led to the Commission deciding not to grant any more "organizational" licenses, because GMRS should not be "the other business" band. Without licensing, it may become just that.

The wide availability of amateur equipment that could be "boot-legged" for the FRS is also quite frightening. Quite a few amateur mobile and hand-held radios can be modified (many of them very easily) to transmit up to, or above, 500 MHz. These would provide FRS users with excess, illegal power (as much as 50 watts, or more) and frequency agility. A radio with an adjustable VFO would render the Commission's channel assignments meaningless, and could infringe on other services. Typical modifications to ham gear allow transmit in 5 KHz steps from 410-470 MHz (or higher) for UHF only radios, with 112-140 MHz added for dual band VHF/UHF radios. This is frightening, considering the potential for interference to police, fire, medical, aircraft, radar, military, Civil Air Patrol, and other band assignments in this range (in addition to the GMRS and amateur 70 Centimeter bands).

Amateur amplifiers for UHF are readily available, and most of them will function quite well in the allocation ear-marked for the FRS. An amateur 5 watts in, 150 watts out amplifier, even if used with as little as a 500 milliwatt radio, will provide somewhere in the range of 35 watts out. This may become a problem with the service, unless the Commission intends to implement a ban on UHF amplifiers similar to the one on those operating from 25-30 MHz. Of course, the earlier ban hasn't kept unscrupulous amateurs from black marketing the equipment

Yes, amateur equipment will be more costly than legal FRS radios, but the number of boot-legged amateur radios and amplifiers currently being used on 27 MHz is proof that some individuals are more than willing to pay that price. Many can be heard blatantly violating Commission rules: operating where they please between 26 and 28 MHz, some even encroaching on the amateur 10 Meter band, using power upwards of 1,000 watts, causing intentional interference to other users, etc.

I do not wish to see these violations transplanted to the FRS, and under the current proposal, there is a great chance that would happen. Currently, there is no incentive for non-Hams to purchase this equipment. Access to the FRS will create a market for these modified radios and amplifiers, and unlicensed operators may show less tact and respect for FCC rules than Hams have.

Further, the new FRS would also create harmful, intolerable interference to users of the GMRS. The General Mobile Radio Service's repeater inputs are all located in the 467 MHz band--close enough to the proposed FRS channel assignments for there to be interference potential. In some cases, high level repeaters might be completely disabled by heavy use of these unlicensed channels. GMRS licensing is expensive--the Commission owes it to the users of the GMRS to protect its frequency assignments. The FRS must not be allowed to go into existence in the 467 MHz band!

My own current experience on GMRS is limited to use of repeaters on 462.675 MHz, providing motorist assistance and emergency communications. REACT provides a valuable service to the public using this frequency. If the FRS should cripple our repeaters, the results could be disastrous. There is no guarantee in the proposal that the integrity of 462.675 / 467.675 will be maintained.

If the FRS goes into existence in its current form, it will be anything but "family!" The need for a better personal radio service can be easily filled by modifying the rules for the GMRS. With a lower license fee (the old \$35.00 rate was very reasonable, but, in my estimation, the Commission could go as low as \$20.00 before the quality of applicant declines seriously) and a SIMPLER application, GMRS could become quite popular. There are already existing simplex allocations that would facilitate the type of communications proposed for FRS, and those willing to subscribe to a shared, community repeater would be able to have a much longer range of communications. Licensing encourages compliance with Commission rules (and makes enforcement easier), and the household nature of GMRS licenses make them perfect for a "family" band.

If the Commission persists in the creation of the FRS, it should do so in an alternate band assignment. There are existing portions of spectrum, above 1 GHz, where the FRS would not cause interference to existing users, and where easily-abused amateur equipment would not be readily available. Mass-produced, low-powered microwave transmitters could still be quite inexpensive, and that would be a far more "state of the art" than the current proposal.